

Debra I. Grassgreen (CA Bar No. 169978)  
Malhar S. Pagay (CA Bar No. 189289)  
PACHULSKI STANG ZIEHL & JONES LLP  
10100 Santa Monica Blvd., 13th Floor  
Los Angeles, California 90067  
Telephone: 310/277-6910  
Facsimile: 310/201-0760  
E-mail: [dgrassgreen@pszjlaw.com](mailto:dgrassgreen@pszjlaw.com)  
[mpagay@pszjlaw.com](mailto:mpagay@pszjlaw.com)

Attorneys for Richard M. Pachulski,  
Chapter 11 Trustee

**UNITED STATES BANKRUPTCY COURT**  
**CENTRAL DISTRICT OF CALIFORNIA**  
**LOS ANGELES DIVISION**

In re

LAYFIELD & BARRETT, APC,

Debtor.

Case No. 2:17-bk-19548-NB

Chapter 11

**NOTICE OF HEARING ON MOTION FOR  
ORDER (1) AUTHORIZING SALE OF  
REAL PROPERTY FREE AND CLEAR OF  
ALL LIENS, CLAIMS AND  
ENCUMBRANCES PURSUANT TO  
11 U.S.C. §§ 363(B) AND (F); (2)  
APPROVING BUYER AS GOOD-FAITH  
PURCHASER PURSUANT TO 11 U.S.C.  
§ 363(M); AND (3) AUTHORIZING  
PAYMENT OF UNDISPUTED LIENS AND  
OTHER ORDINARY COSTS OF SALE**

[2720 Homestead Road, Units 210 and 220,  
Park City, Utah 84098]

Date: April 2, 2019<sup>1</sup>

Time: 2:00 p.m.

Place: United States Bankruptcy Court  
Edward R. Roybal Federal Building  
255 E. Temple Street, Ctrm. 1545  
Los Angeles, California 90012

Judge: Honorable Neil W. Bason

<sup>1</sup> Hearing date and time scheduled and order shortening time granted during hearing on related matter conducted on March 5, 2019.

**TO THE DEBTOR; OFFICE OF THE UNITED STATES TRUSTEE; PARTIES REQUESTING NOTICE; WELLS FARGO BANK, N.A.; TOLL CREEK VILLAGE OWNERS ASSOCIATION; PHILIP J. LAYFIELD; WES AVERY, CHAPTER 7 TRUSTEE FOR THE BANKRUPTCY ESTATE OF PHILIP J. LAYFIELD; AND PARTIES IN INTEREST:**

**PLEASE TAKE NOTICE** that on **April 2, 2019, at 2:00 p.m.**, in courtroom 1545 of the United States Bankruptcy Court for the Central District of California, Los Angeles Division, located at 255 E. Temple Street, Los Angeles, California 90012, the Court will hold a hearing regarding the *Motion for Order (1) Authorizing Sale of Real Property Free and Clear of All Liens, Claims and Encumbrances Pursuant to 11 U.S.C. §§ 363(b) and (f); (2) Approving Buyer as Good Faith Purchaser Pursuant to 11 U.S.C. § 363(m); and (3) Authorizing Payment of Undisputed Liens and Other Ordinary Costs of Sale* (the “Motion”),<sup>2</sup> filed by Richard M. Pachulski, the chapter 11 trustee (the “Trustee”) for the bankruptcy estate of Layfield & Barrett, APC, which seeks an order:

1. approving the Purchase and Sale Agreement for Commercial Real Estate, as amended by addenda numbered 1 and 2 (the “PSA”) and the sale of two office suites, Suites 210 and 220 (the “Property”) at Toll Creek Village 2 (Parcel Nos. TCVC-2-210 and TCVC-2-220), an office condominium complex located at 2720 Homestead Road, Park City, Utah 84098, free and clear of any liens, claims, and encumbrances pursuant to 11 U.S.C. §§ 363(b) and (f), to Allegretti & Company (the “Buyer”), whose address is 20555 Devonshire St, PMB 375, Chatsworth, California 91311, for the total purchase price of \$275,000.00, subject to overbid;

2. authorizing the Trustee to sell the Property to the Buyer, or an overbidder, “as is,” “where is,” “with all faults,” and without warranty or recourse, but free and clear of any and all liens, claims, and interests, pursuant to 11 U.S.C. §§ 363(b) and (f);

3. approving the Buyer or any successful overbidder as a “good faith” purchaser under section 363(m) of the Bankruptcy Code;

4. attaching to the net sales proceeds any unpaid portion of the liens on the Property in the same value, priority and scope as such liens existed as of the Petition Date;

5. reserving to the Trustee all rights to object to the validity, scope and priority of all disputed liens, claims and encumbrances;

6. authorizing the Trustee to take any and all necessary actions to consummate the sale of the Property;

7. authorizing the Trustee to pay, through escrow, from the proceeds of the sale and without further order of the Court any escrow fees, title insurance premiums and other ordinary and typical closing costs and expenses payable by the Trustee pursuant to the PSA or in accordance with local custom;

8. waiving any requirements for lodging periods of the order approving the Motion imposed by any other applicable bankruptcy rules;

---

<sup>2</sup> All terms not defined herein shall have the same meaning ascribed to them in the Motion.

9. waiving the stay of the order approving the Motion imposed by Federal Rule of Bankruptcy Procedure 6004(h) and any other applicable bankruptcy rules; and

10. granting the Trustee such other and further relief as may be appropriate.

**PLEASE TAKE FURTHER NOTICE** that the Trustee seeks to sell the Property free and clear of any and all liens, claims, and interests. The Trustee reserves the right to object to the validity, scope and priority of all disputed liens, claims and interests.

**PLEASE TAKE FURTHER NOTICE** that, as set forth in the PSA, to the extent the Trustee receives additional bids for the Property, the sale is subject to overbids, permitting the Trustee to consider potentially higher and better offers up to the time of the hearing regarding the Motion.

The Motion is based upon the Memorandum of Points and Authorities, the Declarations of Richard M. Pachulski and Randal Rupert and Exhibit "A" attached thereto, all pleadings, papers and records on file with the Court, and on such other evidence, oral or documentary, as may be presented to the Court at or prior to the time of the hearing on the Motion.

**Your Rights May Be Affected.** You should read these papers carefully and discuss them with your attorney, if you have one. (If you do not have an attorney, you may wish to consult one).

**Deadline for Opposition Papers.** The Motion is being heard on shortened notice. If you wish to oppose the Motion, you must file a written response with the Court and serve a copy of it upon the Trustee's attorney at the address set forth above no later than **March 29, 2019**. If you fail to file a written response to the Motion within such time period, the Court may treat such failure as a waiver of your right to oppose the Motion and may grant the requested relief.

**PLEASE TAKE FURTHER NOTICE** that any party requesting a copy of the Motion or any supporting documents filed with the Court with respect to the Motion may contact counsel for the Trustee, Malhar S. Pagay, Pachulski Stang Ziehl & Jones LLP, by email at: [mpagay@pszjlaw.com](mailto:mpagay@pszjlaw.com), by mail at 10100 Santa Monica Blvd., 13th Floor, Los Angeles, California 90067, or by telephone at (310) 277-6910.

Dated: March 19, 2019

PACHULSKI STANG ZIEHL & JONES LLP

By: /Malhar S. Pagay/

Attorneys for Richard M. Pachulski, Chapter 11  
Trustee

## PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:  
**10100 Santa Monica Boulevard, 13<sup>th</sup> Floor, Los Angeles, California 90067**

A true and correct copy of the foregoing document entitled (*specify*): **NOTICE OF HEARING ON MOTION FOR ORDER (1) AUTHORIZING SALE OF REAL PROPERTY FREE AND CLEAR OF ALL LIENS, CLAIMS AND ENCUMBRANCES PURSUANT TO 11 U.S.C. §§ 363(B) AND (F); (2) APPROVING BUYER AS GOOD-FAITH PURCHASER PURSUANT TO 11 U.S.C. § 363(M); AND (3) AUTHORIZING PAYMENT OF UNDISPUTED LIENS AND OTHER ORDINARY COSTS OF SALE** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

**1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (*date*) **March 19, 2019**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:  
☒ Service information continued on attached page

**2. SERVED BY UNITED STATES MAIL:**

On (*date*) **March 19, 2019**, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☒ Service information continued on attached page

**3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL** (*state method for each person or entity served*): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (*date*) **March 19, 2019**, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

March 19, 2019  
Date

Sophia L. Lee  
Printed Name

/s/ Sophia L. Lee  
Signature

**1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):**

**Case 2:17-19548**

- Wesley H Avery wes@averytrustee.com, lucy@averytrustee.com;alexandria@averytrustee.com
- Jason Balitzer jbalitzer@sulmeyerlaw.com,  
jbalitzer@ecf.inforuptcy.com;dwalker@ecf.inforuptcy.com;kmccamey@sulmeyerlaw.com
- Moises S Bardavid mbardavid@hotmail.com
- Daniel I Barness daniel@barnesslaw.com
- James W Bates jbates@jbateslaw.com
- Darwin Bingham cat@scalleyreading.net
- Martin J Brill mjb@lnbrb.com
- William S Brody wbrody@buchalter.com, dbodkin@buchalter.com;IFS\_filing@buchalter.com
- Glenn R Bronson grb@princeyeates.com, carolp@princeyeates.com
- Baruch C Cohen bcc@BaruchCohenEsq.com, paralegal@baruchcohenesq.com
- Jennifer Witherell Crastz jcrastz@hrhlaw.com
- Beth Gaschen bgaschen@wgllp.com,  
kadele@wgllp.com;vrosales@wgllp.com;cbmeeker@gmail.com;cyoshonis@wgllp.com
- Jeffrey I Golden jgolden@wgllp.com,  
kadele@wgllp.com;vrosales@lwgfllp.com;cbmeeker@gmail.com
- M. Jonathan Hayes jhayes@rhmfirm.com,  
roksana@rhmfirm.com;rosario@rhmfirm.com;janita@rhmfirm.com;susie@rhmfirm.com;max@rhmfirm.com;priscilla@rhmfirm.com;pardis@rhmfirm.com;russ@rhmfirm.com;rebeca@rhmfirm.com
- Kimberly D Howatt khowatt@gordonrees.com, sdurazo@grsm.com
- James KT Hunter jhunter@pszjlaw.com
- Steven J Kahn skahn@pszyjw.com
- Joseph M Kar jkar@mindspring.com
- Richard W Labowe richardwlabowe@gmail.com, llhlaw1631@aol.com
- Dare Law dare.law@usdoj.gov
- David W. Meadows david@davidwmeadowslaw.com
- Jessica Mickelsen Simon jmsimon@hrhlaw.com
- Dennette A Mulvaney dmulvaney@leechtishman.com, lmoya@leechtishman.com
- Rana Nader rnader@naderlawgroup.com, monique@naderlawgroup.com
- Joel A Osman osman@parkermillsllp.com, sanders@parkermillsllp.com
- Malhar S Pagay mpagay@pszjlaw.com, mpagay@pszjlaw.com
- Brian A Paino bpaino@mcglinchey.com, crico@mcglinchey.com;selizondo@mcglinchey.com
- Michael F Perlis mperlis@lockelord.com,  
merickson@lockelord.com,jhagey@lockelord.com,RRJohnson@lockelord.com,bmungaray@lockelord.com
- Michael F Perlis , merickson@lockelord.com  
jhagey@lockelord.com,RRJohnson@lockelord.com,bmungaray@lockelord.com
- Hamid R Rafatjoo hrafatjoo@raineslaw.com, bclark@raineslaw.com;cwilliams@raineslaw.com
- Faye C Rasch frasch@wgllp.com, kadele@wgllp.com;tziemann@wgllp.com
- Daniel H Reiss dhr@lnbyb.com, dhr@ecf.inforuptcy.com
- Damion Robinson dr@agzlaw.com
- Lindsey L Smith lls@lnbyb.com, lls@ecf.inforuptcy.com
- Daniel A Solitro dsolitro@lockelord.com, ataylor2@lockelord.com
- United States Trustee (LA) ustpreion16.la.ecf@usdoj.gov
- Gary R Wallace garyrwallace@ymail.com
- Alan J Watson alan.watson@hklaw.com, [rosanna.perez@hklaw.com](mailto:rosanna.perez@hklaw.com)

---

This form is mandatory. It has been approved for use by the United States Bankruptcy Court for the Central District of California.

**Service List by U.S. First Class Mail**  
**Mailing Information for Case 2:17-19548**

Layfield & Barrett, APC  
Fka Layfield & Wallace, APC  
Fka The Layfield Law Firm, APC  
Attn: Philip Layfield, Officer of Record  
2720 Homestead Rd., Suite 210  
Park City, UT 84098

Layfield & Barrett, APC  
Fka Layfield & Wallace, APC  
Fka The Layfield Law Firm, APC  
Attn: Any Officer Other Than Philip Layfield  
2720 Homestead Rd., Ste. 210  
Park City, UT 84098

Layfield & Barrett, APC  
Fka Layfield & Wallace, APC  
Fka The Layfield Law Firm, APC  
Attn: Philip Layfield, Officer of Record  
Register No. 71408-050  
MDC Los Angeles/Metropolitan Detention Ctr  
P.O. Box 1500  
Los Angeles, CA 90053

Philip J. Layfield  
102 Moore's Cro # 7  
Millsboro, Delaware 19966

Philip J. Layfield  
1875 K St. NW  
Washington, DC 20006

Philip J. Layfield  
c/o Zenith Legal Services, LLC  
1875 Connecticut Ave. NW, 10th Floor  
Washington, DC 20009

Philip J. Layfield  
8 The Green, Suite 6426  
Dover, Delaware 19901

Philip J. Layfield  
c/o Anthony M. Solis  
APLC 23679 Calabasas Road, Suite 412  
Calabasas, California 91302-1502

Philip J. Layfield  
c/o Law Office of Steven Brody  
350 S. Figueroa Street, Suite 975  
Los Angeles, California 90071

**SPECIAL NOTICE**

Roger G Jones  
1600 Division St Ste 700  
Nashville, TN 37203

Patricia Salcedo  
The Dominguez Firm  
3250 Wilshire Blvd #2200  
Los Angeles, CA 90010

Timothy M Smith  
McKinley Smith APC  
3445 American River Dr., Ste A  
Sacramento, CA 95864

Lance S Strumpf  
Law Office of Lance S. Strumpf  
5136 Woodley Ave.  
Encino, CA 91436

Toll Creek Owners Association Inc  
c/o Jacob Watterson  
130 South Main Ste 200  
Logan UT 84323-0525

Diane B Sherman  
Law Offices of Diane B Sherman  
1801 Century Park East Ste 1200  
Los Angeles, CA 90067